

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD GAYTAN, No C 07-06367 VRW
Plaintiff, ORDER
v
ELAINE CHAO, SECRETARY OF LABOR,
Defendant.

On January 17, 2008, plaintiff Richard Gaytan filed a motion requesting that the court appoint an attorney to represent him in his discrimination suit against his former employer, the United States Department of Labor. For the reasons set forth below, the request is DENIED.

The Civil Rights Act of 1964 provides for appointment of counsel in employment discrimination cases "in such circumstances as the court may deem just." 42 USC § 2000e-5 (f)(1). In deciding "just circumstances," the court considers three factors: (1) plaintiff's financial resources, (2) plaintiff's efforts to secure counsel, and (3) merits of the plaintiff's claim. Bradshaw v

1 Zoological Soc'y of San Diego, 662 F2d 1301, 1318 (9th Cir 1981).

2 Mr Gaytan submitted a three-line request for counsel with
3 no supporting evidence; he has made no showing of limited financial
4 resources or efforts to secure counsel.

5 Mr Gaytan appears to allege that his supervisor
6 terminated his employment because he is a disabled veteran
7 suffering from post-traumatic stress disorder. Mr Gaytan has not
8 pleaded any facts suggesting that his veteran status was the reason
9 for his termination.

10 Mr Gaytan has failed to show that any of the three
11 Bradshaw factors support appointment of counsel. The request for
12 appointment of counsel under 42 USC §2000e-5 (f)(1) is DENIED.

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15 IT IS SO ORDERED.

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18 VAUGHN R WALKER
19 United States District Chief Judge
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